

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2009-094429

07/19/2011

JUDGE PRO TEM JAIME HOLGUIN

CLERK OF THE COURT
P. Odell
Deputy

IN RE THE MATTER OF
SANDRA LYNN WEIDNER

SANDRA LYNN WEIDNER
4125 E OAKLAND ST
GILBERT AZ 85296

AND

JOSEPH R DEPAOLANTONIO

JOSEPH R DEPAOLANTONIO
3465 E PARKVIEW DR
GILBERT AZ 85295

FAMILY COURT SERVICES-CCC

HEARING ON SIMPLIFIED MODIFICATION

Courtroom 305-SEA

3:22 p.m. This is the time set for hearing on Petitioner/Mother's Petition to Modify Child Support "Simplified Process", filed April 19, 2011. Petitioner/Mother, Sandra Weidner (hereinafter referred to as "Mother"), is present on her own behalf. Respondent/Father, Joseph Depaolantonio (hereinafter referred to as "Father"), is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Mother and Father are sworn.

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LET THE RECORD REFLECT the parties met with a Family Court Conference Officer prior to this hearing. The Court has been advised that the parties have reached a partial agreement. The issues in dispute are Father's income and parenting days.

Mother and Father, having previously been sworn, now testify.

Based upon the testimony presented,

THE COURT FINDS Father's income is \$14,419/month for purposes of calculating child support.

Mother and Father testify further regarding parenting days.

Father requests that he be entitled to claim the child in four out of five tax years. Mother is heard in response.

The Court takes the issues of parenting days and allocation of the tax exemption under advisement.

3:37 p.m. Matter concludes.

LATER:

The Evidentiary Hearing in this matter on Mother's Petition to Modify Child Support was held on July 19, 2011. Following the Evidentiary Hearing, the Court took the issue of parenting days and the allocation of the tax exemption under advisement.

The Court has since reviewed the testimony presented, the case history, and pleadings filed. The Court now makes the following findings and enters the following orders:

THE COURT FINDS that Father exercises 145 parenting days for purposes of calculating child support.

The Court prepares a *Child Support Worksheet*, which incorporates the Court's findings and the agreements of the parties, and is filed with the Clerk of the Court herein.

THE COURT FINDS there is a continuing and substantial change in the circumstances of the parties warranting modification of the child support amount.

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Pursuant to the testimony of the parties, review of the court file, and the Child Support Guideline Worksheet filed herein,

IT IS ORDERED that Father shall pay to Mother the sum of \$757.43, plus \$5.00 per month Clearinghouse fee, for a total of **\$762.43** as and for current child support effective May 1, 2011, and continuing on the same day of each month thereafter. Said amount is to be paid through the Support Payment Clearinghouse by wage assignment.

IT IS FURTHER ORDERED that all non-covered medical expenses incurred for the health and protection of the minor child shall be paid 80% by Respondent/Father and 20% by Petitioner/Mother, in proportion to their incomes as reflected on the most recent Child Support Guideline Worksheet.

The parties shall account to one another for the child's uncovered healthcare expenses in accordance with Section 9.A of the Arizona Child Support Guidelines, which provides that a party seeking reimbursement for uninsured medical, dental, or vision costs shall make request for reimbursement to the other party within 180 days after the date the services occur and shall provide receipts or other evidence of payments actually made upon request of the other party. The party responsible for reimbursement must pay his or her share, or make acceptable payment arrangements, within 45 days after receipt of the request.

IT IS FURTHER ORDERED allocating the federal and state tax exemption as follows:

Child	DOB	2011	2012	2013	2014	2015
Christie	8/10/2003	Father	Father	Father	Father	Mother

Father may claim the tax exemption provided that Father is current in his child support obligation by December 31st of the applicable year.

IT IS FURTHER ORDERED approving and settling formal written Child Support Order signed by the Court on July 19, 2011, and filed (entered) by the Clerk on July 20, 2011.

LET THE RECORD REFLECT an Order of Assignment is initiated electronically by the above-named deputy clerk.

Until the wage assignment becomes effective, it is the responsibility of the party obligated to pay support/maintenance to pay the support to **Support Payment Clearinghouse, P. O. Box 52107, Phoenix, Arizona 85072-2107**. The payment should show the case number and/or ATLAS case number and the name of the party paying support and the name of the party who will receive the payment.

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If payments are made directly to the person who is to receive the support, the payments may be considered a gift and no credit will be given towards the support obligation.

Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within ten (10) days of the change (A.R.S. 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

ATTACHMENT FOR MAILING: Support Payment Instructions.

Father is personally responsible for the timely payment of support as well as the \$5.00 monthly handling fee. At any time an employer and/or payor is not paying pursuant to the Order of Assignment, Father must make timely payment of support and fees directly to the Support Payment Clearinghouse. Failure to make timely payment of support may result in a finding of contempt which may result in sanctions, including incarceration.

FILED: Child Support Order, Child Support Guideline Worksheet

LET THE RECORD REFLECT the parties are mailed a copy of the aforementioned documents by division staff.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

JOSEPH R DEPAOLANTONIO: Non IV-D Payment Instructions